

# **BOARD OF POLICE COMMISSIONERS**

## **Minutes of the Regular Board of Police Commissioners Meeting Thursday, June 5, 2003**

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, June 5, 2003, at 3:00 p.m., at Police Headquarters, 1300 Beaubien – Rm. 328-A, Detroit, MI 48226.

### **ATTENDANCE**

#### **Board Members Present**

Megan Norris  
Willie E. Hampton  
Arthur Blackwell, II  
Erminia Ramirez  
Edgar L. Vann, Jr.

#### **Department Personnel Present**

AC Timothy Black  
DC Harold Cureton  
Cmdr. Leo Powers  
Insp. Benjamin Lee  
Sgt. Debbie Jackson  
Sgt. Ramona Bennett  
PO Irvette Reed  
3<sup>rd</sup> DC Tara Dunlap  
Atty. Nancy Ninowski

#### **Board Staff Present**

Dante' L. Goss, Executive Director  
Denise R. Hooks, Attorney/Supv. Investigator  
Arnold Sheard, Interim Chief Investigator  
Stephan Thompson, Sr. Investigator  
Arthur Divers, Sergeant  
E. Lynise Bryant-Weekes, Personnel Director

### **RECORDERS**

Jerome Adams  
Kellie Williams

### **OTHERS PRESENT**

Ms. Walters  
Ron Scott  
Mike Payne, WWJ 950  
Rick Jones  
Star Ellen Carter

## 1. CALL TO ORDER

**Chairperson Norris** called the regular meeting of the Detroit Board of Police Commissioners to order at 3:15 p.m.

## 2. APPROVAL OF MINUTES

- Thursday, May 15, 2003
- Thursday, May 22, 2003
- Thursday, May 29, 2003

**MOTION:** Commissioner Norris made the motion to approve the Minutes.

**SECOND:** Commissioner Vann seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

## 3. REPORT FROM THE CHAIR

None.

## 4. SECRETARY REPORT – EX. DIR. GOSS

### Suspension

On June 5, 2003, **Police Officer Ceiere Campbell**, Badge 537, assigned to the Eighth Precinct was suspended without pay by Chief of Police Jerry A. Oliver.

On May 23, 2003, off-duty Officer Campbell was arrested at his residence following the execution of a federal search warrant for “Conspiracy to Deliver Controlled Substances.”

According to the information, on May 23, 2003, members of the Public Corruption Unit and the Federal Bureau of Investigations executed a search warrant at the residence of Officer Campbell. As a result, three ounces of marijuana, a stolen handgun, and evidence that Officer Campbell is the owner of a website that exploits narcotic addicted persons were confiscated from his residence.

On the above date, Officer Campbell was suspended with pay.

Based on the above circumstances, it is recommended that Officer Campbell be charged with, but not limited to, the following violation of the Detroit Police Department Rules and Regulations:

**CHARGE: CONDUCT UNBECOMING AN OFFICER; CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF GENERAL ORDER 72-17, SECTION K, SUBSECTION 65.**

Unless contravened by this Commission, the above suspension without pay will stand.

There were no contraventions to the above suspension without pay.

#### CITIZEN COMPLAINTS RECEIVED

##### This Week

##### Year to Date

<b>Weekly Count of Complaints:</b>	<b>21</b>	<b>456</b>
<b>Weekly Count of Allegations:</b>	<b>45</b>	<b>843</b>
Arrest	0	29
Demeanor	17	287
Entry	0	11
Force	1	66
Harassment	4	36
Procedure	17	271
Property	3	43
Search	0	30
Service	3	68

#### Pending Cases

As of June 4, 2003, the Office of the Chief Investigator (OCI) has a total of **456 pending cases**, which include **151 cases** with an age of 0-45 days, **34 cases** with an age of 46-60 days, **109 cases** with an age of 61-90 days, and **97 cases** with an age of 91-120 days, and **65 cases** with an age of 121 days – 6 months.

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#### 2002

During the past week:

20

Year to Date:

449

## **5. CHIEF'S REPORT**

### **DETROIT POLICE DEPARTMENT MIND'N OUR BUSINESS**

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#### **Board of Police Commissioners**

The Detroit Police Department's mission is building a safer Detroit through community partnerships. Therefore, the following enforcement actions were conducted during the week of May 28<sup>th</sup> June 1, 2003:

#### **ORGANIZED CRIME AND GANG DIVISION**

The Conspiracy Intelligence, South-East, North-West and Vice Sections conducted four enforcement actions that resulted in (4) misdemeanor, (1) felony arrests. These enforcement actions resulted in the confiscation of 176 grams of cocaine, and 4,002 grams of marijuana with a total street value of \$86,408.00. \$2,400 in U.S. currency, was confiscated from these enforcement actions.

#### **SECOND PRECINCT**

On May 30, 2003, officers of the Second Precinct received information from a postal employee regarding one of Michigan's Most Wanted. The officers were informed that the subjected was to meet the postal employee at her mail truck to retrieve his mail. The officers set up surveillance and upon arrival of the subject, he was arrested without incident.

#### **VIOLENT CRIME TASK FORCE (V.C.T.F)**

On May 29, 2003, the Wayne County Prosecutors' office requested the assistance of the V.C.T.F. in apprehending a male subject who was forging property deeds of deceased persons and obtaining mortgage loans on their property. Officers of the V.C.T.F. received information that the subject would be at a mortgage company in the City of Southfield. They set up surveillance on the company and observed the subject entering the location. He was subsequently arrested without incident.

**Chief of Police Jerry A. Oliver, Sr.**

## **6. PRESENTATION – FIREWORKS FESTIVAL UPDATE**

**Insp. Benjamin Lee** from the Tactical Operations Section gave the following PowerPoint presentation on the Marshall Fields/Target 2003 Fireworks:

(See Attached)

**Questions:**

**Comm. Ramirez** stated just the traffic when you said that streets are gonna be closed down from West Grand Blvd. to Rosa Parks.

**Inspector Lee** stated yes, Fort Street.

**Comm. Ramirez** stated Fort Street. But the flow of the traffic when they exit out on Clark Street, they are going to make a right on Clark and make a left on Fort Street, and they are going to hit right where you say that Fort Street is going to be closed. And if they want to turn left on West Grand Blvd., the overpass is closed right now presently. She asked so where are you going to monitor the traffic, unless they make a right heading towards Jefferson? It's going to be where Riverside Park is.

**Cmdr. Powers** stated yeah I think I understand what you are saying because you have to go that way in order to get to Riverside Park. That is virtually one of the few ways you can't through because Clark Street cuts off at Jefferson, so you can't come up Jefferson and cross Clark Street.

**Comm. Ramirez** stated you are absolutely right, but what I am saying is that a lot of them are not going to Riverside Park, they are assuming that they can go straight down Fort street when they are heading downtown. You are going to have a lot of traffic turning to the right, where Riverside is. I am just letting you know that there is no way to keep going down Jefferson; you are going to have a traffic jam where Riverside is.

**Inspector Lee** stated I don't have the exact knowledge of that particular street we will be riding those streets physically to make sure that whatever turns we do put into effect that those turns could be manned.

**Comm. Ramirez** stated if they are coming from southbound on I-75 and exiting off on Clark, they are going to assume that they could make a left on Clark street heading towards Ford Street and you are going to get all exits coming around that area.

**Inspector Lee** stated in addition to the street closures that we do, we are going to be in contact with the communications department in the mayor's Office, so that we could put that out on the radio and television, so that everyone knows.

**Comm. Hampton** asked what level of staff will be in the neighborhoods? Would it be less than normal or higher?

**Inspector Lee** stated it is probably going to be more. We have all of the precincts will man the precincts and the extra people that they have will be coming for the fireworks.

**7. DISCIPLINARY APPEALS ARGUED – APPEALS SUBCOMMITTEE**

**Disciplinary Appeals Argued  
May 22, 2003**

**Police Officer Miguel Bruce**  
**Badge 2710**

**BPC 01-004D**

**Charge**

**I.** Willful Disobedience of Rules or Orders, two specifications; and **II.** Neglect of Duty, one specification.

**Trial Board Decision**

Guilty of Charge I, and not guilty of Charge II.

Seven (7)-day suspension.

**Recommendation**

Accept the Department's motion to dismiss the charge and set aside the penalty.

**MOTION:** Commissioner Vann made the motion to approve the Recommendation.

**SECOND:** Commissioner Hampton seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

**Police Officer Kelvin Davis**  
**Badge 1775**

**BPC 02-009D**

**Charges**

I. Conduct Unbecoming an Officer, one specification; II. Conviction in a Court of Criminal Jurisdiction Other than Minor Traffic Violations, one specification; and III. Willfully Making a False Oral or Written Statement or Report.

**Trial Board Decision**

Found guilty of Charges I and III, and accepted guilty plea to Charge II.

Dismissal.

**Recommendation**

Uphold the Trial Board decision in its entirety.

**MOTION:** Commissioner Vann made the motion to approve the Recommendation.

**SECOND:** Commissioner Hampton seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

**8. OTHER BUSINESS**

**Comm. Vann** stated we had some questions that we asked as a Commission two weeks ago and they have not been responded to. I understand that a memo was sent from our office in regards to them and I understand that the answer was that you did not receive the memo. I don't know who in the Chief Office receives the memo, but I would like to know where is the memo and where are the answers to the questions that the Commission has asked.

**AC Black** stated we did get that memo with the questions and we are working on a response to that. I think it is actually finished now or in the process of being typed. I would have liked to had it ready for you this afternoon, but I don't think we will have it ready, but it should be done probably tomorrow.

**Comm. Vann** asked could you tell me when it was received.

**AC Black** stated no.

**Comm. Vann** asked in regards to the recent stories with regard to the

suspensions of four police officers and the reversal of the Chief's decision as it relates to that, I understand that there are some contractual things going on to try to address that particular.... Are you in a position to speak about it?

**AC Black** stated no, I am not.

**Comm. Vann** asked Atty. Ninowski there was an issue that we dealt with during the reorganization of the department that I was concerned about especially as it might have possible relationship to some of the contemporary issues of the police department, which I don't want to go into at this time, but it refers to the process that was set up by the Chief with regard to executive retention or promotion and the criteria that was used at that particular time, testing evaluations, sort of apparatus was used at that time, which I believe in effect deselected at least two deputy chiefs that I am aware of at that particular time. I wanted to ask you a legal question with regard to the at-willingness of the police executives based upon that particular scenario.

**Atty. Ninowski** stated if I understand correctly, what you are asking me is the test that was administered last summer for the deputy chief position. She asked is it in reference to that?

**Comm. Vann** stated yes.

**Atty. Ninowski** stated specifically the question is whether or not that test takes that position out of the at-will category, is that...

**Comm. Vann** stated we had this discussion when it happened and I wanted to asked it again to refresh my memory as to what the real legal answer is to that. But understanding that could possibly have an impact on some of the contemporary issues that we are dealing with.

**Atty. Ninowski** stated having not research the issue, I can't give you any answer off the top of my head that I think would be accurate, but of course arguments could be made any way. I think an argument could be made that the test itself created a property right in that position and that it will no longer be at will. That would be one of the arguments that could be assertive.

**Comm. Vann** stated that is the thing that I wanted to get some clarification on because I am not clear on it and I knew that we had discuss that at that time. As far as I knew some deselection of certain people based upon there ability to pass or not to pass the test that was given.

**Atty. Ninowski** stated I will be very happy to refer that question to your corporation counsel Ruth Carter.

**Comm. Vann** asked could we get some information back about that so that we



would be a bit more intelligent as to what that process does to that particular...

**Atty. Ninowski** stated absolutely, I will refer that question as soon as I return to the office.

**Chairperson Norris** stated Commissioners if it is okay with you, I would like to move to Oral Communications from the Audience. So that when we go into closed session, people that want to address us, won't have to wait through that.

## **9. ORAL COMMUNICATION FROM THE AUDIENCE**

**Ms. Walters** expressed her concerns of young men hanging on corners and who are openly engaging in drug trafficking. I think when the summer comes, if we do not successfully conquer these things, we will have many deaths.

**Insp. Lee** thanked Sgt. Danny Williams, Officer Alfred and Officer Williams and Officer Kane for their help with the presentation.

**Star Ellen Carter** stated I have been coming before the Commissioners for a couple of years and there has been no resolve. She asked the Commissioners and Chief Oliver, if they would be available for subpoenas to testify at my sons trial. I think that would be the only descent thing to do since there is no conclusion and things keep mounting up. You could explain to the jury why I have been coming to you for a couple of years and you can say that you are continuing to investigate, however you have affected my child's life. He should be graduating tomorrow. It is ridiculous, you talk about safety productive members of society and when you have the police department purposely tearing down people for whatever the reason, but right is right and wrong is wrong. If the Commissioners or the Chief will not be available, then that will hold up my child's life even longer from his name being cleared. I hope that you will be available for that.

**Chairperson Norris** stated well you know where to find me and you know where my office is.

**Ms. Carter** stated yes, I do. His name is here, he is on the football team, he missed his prom and he should be graduating. I know it is not right, I know a lot of politics, I have made a lot noise, I am going to make a lot of noise. I went to the Wayne County Commissioners and there is a prosecutorial misconduct, its just not the police department by themselves. She asked Comm. Norris if she found out why the squad cars were there?

**Chairperson Norris** stated I have not found that out and to be quite honest Ms. Carter for the last two weeks, I have done nothing on your particular cases. As

you may be aware, I have had quite a bit of Commission business over the last few weeks.

**Ms. Carter** stated this has been going on for two years now and we deserve to have our lives back.

## **10. OTHER BUSINESS (CONT.)**

### **Closed Session**

**Chairperson Norris** stated a request having been made by an employee I move that we conduct a closed session, pursuant to MCL 15.268(a) to review a personnel matter relative to that individual.

**MOTION:** Commissioner Norris made the motion to go into a closed session.

**SECOND:** Commissioner Ramirez seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

**Chairperson Norris** stated we might also be considering material that can be in closed session pursuant to MCL 15.268(h). I also need a motion to convene a closed session for those purposes.

**MOTION:** Commissioner Norris made the motion to consider the information in the closed session.

**SECOND:** Commissioner Hampton seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

**Chairperson Norris** stated this has to be a roll call vote...

**Comm. Blackwell** asked for the first item, does the employee have to concur on the record.

**Chairperson Norris** stated no, my understanding is that the employee would have to request that we do that and the employee has done that. But the employee does not need to make any public statement or nor do we need to identify the employee. The second one is strictly up to the Commission.

**Chairperson Norris** took the following roll call vote:

**Comm. Hampton** stated I.

**Comm. Norris** stated I.

**Comm. Vann** stated I.

**Comm. Blackwell** stated I.

**Comm. Ramirez** stated I.

**The Commission went into a closed session at 3:40 p.m.**

**The Commission returned from the closed session at 5:47 p.m.**

**Chairperson Norris** stated we are not taking any action on the matter that we were meeting on at this time.

**11. ANNOUNCEMENT OF NEXT MEETING**

**Thursday, June 12, 2003 @ 6:30 p.m.**  
**New Galilee Missionary Baptist Church**  
**11242 Gunston**  
**Detroit, Michigan 48213**

**12. ADJOURNMENT**

Meeting was adjourned at 5:50 p.m.

Respectfully Submitted,

**DANTE' L. GOSS**  
Executive Director  
Board of Police Commissioners

**DLG/kdw**